



US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: MARCH 27, 2001

Comment Period Ends: APRIL 27, 2001

File Number: 200001769

In Reply Refer To: Michael Hicks

FOSS MANUFACTURING COMPANY, INC.

proposal for

FACILITY EXPANSION

The Foss Manufacturing Company, Inc., 380 Lafayette Road, P.O. Box 5000, Hampton, New Hampshire has requested a Corps of Engineers permit under Section 404 of the Clean Water Act to impact 7.44 acres of wetlands.

The project site is at UTM coordinates N 4755500 and E 0349500, located on the USGS Hampton, New Hampshire quadrangle sheet. The location of the proposed work is immediately north of the intersection of Route 51, Route 1, and Lafayette Road in Hampton, New Hampshire.

The purpose of the work is to expand the existing manufacturing facility over the next ten (10) years by constructing additional buildings, parking facilities, and roads. This will result in 7.44 acres of wetland fill as shown on Pages 1 through 11 of the attached plans, "Foss Manufacturing Co., Inc. Expansion", dated: March 16, 2001.

To compensate for the wetland impacts, including potential water quality impacts, the following mitigation is offered; expansion/enhancement of two onsite ponds for improved storm water retention and treatment (expanded to 2.57 acres), construction of upland buffer to Drakes River system (0.41 acres), remove/control sediment of Drakes River tributary (1,600 linear feet), 46.7 acres placed into conservation easement, which includes 14 acres of upland, dredge of Batchelder Pond (1.2 acres), monetary donation of \$15,000 for salt marsh observation area, and monetary donation of \$50,000 each for two Land Preservation Funds. Location of proposed mitigation sites are shown on Page 11.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments, when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS

David H. Killoy, P.E., C.P.G.
Chief, Permits & Enforcement Section
Regulatory Branch

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity in the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which may reasonably accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfill requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

The following authorizations have been applied for, or have been, or will be obtained:

- ☒ (X) Permit, License or Assent from State.
- ☐ () Permit from Local Wetland Agency or Conservation Commission.
- ☒ (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

If you would prefer not to continue receiving public notices, please check here ☐ and return this portion of the public notice to: U.S. Army Corps of Engineers – New England District, ATTN: Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____